

Notice of Allowability

Application No.

10/694,431

Examiner

Lars A Olson

Applicant(s)

GOLDEN ET AL

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the request for continued examination received from the applicant on October 18, 2004.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on 27 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10182004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on October 18, 2004 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. On line 6 of Claims 1-3, 5 and 7, the phrase "said beams" has been deleted and replaced with the phrase "said at least one transverse beam" in order to correct a lack of antecedent basis problem in the claims.

Reasons for Allowance

4. Claims 1-11 are allowed.

5. The following is an examiner's statement of reasons for allowance. The watercraft lift assembly as claimed is not shown or suggested in the prior art because of the use of a lift assembly that is comprised of a support structure with at least two vertical pilings having outer sides and a proximal end, at least one transverse beam that is mounted between said vertical pilings for carrying a watercraft, a pulley assembly that is secured to said support structure and transverse beams, and includes a set of lifting cables for selectively lifting said watercraft into and out of a body of water, a cap that is secured to the proximal end of said vertical piling and has a top portion and side walls that are integral with said top portion, and a motor/winch assembly that is secured to one of said side walls for activating said pulley assembly. The prior art also does not show or suggest the use of said watercraft lift assembly as described above in combination with a cable tie-off device for securing a free end of each of said lifting cables to one of said vertical pilings, where said cable tie-off device is further comprised of a jacket that is secured about an outer side of one of said vertical pilings, said jacket having first and second opposing brackets that engage the sides of said piling, at least one platform that extends from an outer surface of one of said brackets and has a slot, and a wedge that is configured to fit within said slot of said platform, and has a grooved periphery for maintaining a portion of said free cable end.

6. The prior art as disclosed by Sargent et al. (US 6,709,197, US 5,988,941 and US 5,915,877), Bulmann (US 6,695,533), Bishop et al. (US 6,174,106) and Wood, II (US 5,772,360) shows the use of various watercraft lift assemblies for lifting a watercraft into and out of a waterway. Lucas et al. (US 5,553,360) and Rogers (US 3,905,711)

disclose wedge socket assemblies for connecting cables to a support structure. However, none of the prior art cited shows or suggests the use of a watercraft lift assembly that is comprised of a support structure with at least two vertical pilings having outer sides and a proximal end, at least one transverse beam that is mounted between said vertical pilings for carrying a watercraft, a pulley assembly that is secured to said support structure and transverse beams, and includes a set of lifting cables for selectively lifting said watercraft into and out of a body of water, a cap that is secured to the proximal end of said vertical piling and has a top portion and side walls that are integral with said top portion, and a motor/winch assembly that is secured to one of said side walls for activating said pulley assembly. The prior art also does not show or suggest the use of said watercraft lift assembly as described above in combination with a cable tie-off device for securing a free end of each of said lifting cables to one of said vertical pilings, where said cable tie-off device is further comprised of a jacket that is secured about an outer side of one of said vertical pilings, said jacket having first and second opposing brackets that engage the sides of said piling, at least one platform that extends from an outer surface of one of said brackets and has a slot, and a wedge that is configured to fit within said slot of said platform, and has a grooved periphery for maintaining a portion of said free cable end.

Conclusion

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

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March 8, 2005

LARS A. OLSON
PRIMARY EXAMINER

Lars Olson
3/8/05